



The Mizoram Gazette

EXTRA ORDINARY

Published by Authority

Vol. XXVIII Aizawl, Friday, 20. 8. 1999, Sravana 29, S.E. 1921, Issue No. 214

NOTIFICATION

No.H. 12018/86/99-LJD/9, the 20th August, 1999. The following Act of the Mizoram Legislative Assembly, which received the assent of the Governor of Mizoram is hereby published for general information.

The Mizoram Salaries & Allowances of the Speaker and the Deputy Speaker Act, 1999.

(Act No. 6 of 1999)

(Received the assent of the Governor of Mizoram on the 12th Aug. 1999).

AN ACT

to provide for the salaries and allowances of the Speaker and the Deputy Speaker of the Legislative Assembly of Mizoram.

Be it enacted by the Mizoram Legislative Assembly in the Fiftieth year of the Republic of India as follows:—

Short title 1. (1) This Act may be called the Mizoram Salaries and allowances and commencement. of the Speaker and the Deputy Speaker Act, 1999.

(2) It shall be deemed to have come into force on the 1st day of August, 1999.

Definitions. 2. In this Act, unless the context otherwise requires:—

(a) "Assembly" means the Legislative Assembly of Mizoram;

(b) "Deputy Speaker" means the Deputy Speaker of the Assembly;

(c) "Family" in relation to a Speaker and a Deputy Speaker means—

(i) his wife or her husband, as the case may be;

(ii) the children, step-children and widowed daughters wholly dependent on such Speaker or Deputy Speaker, and

(iii) the parents, minor brothers, handicapped adult brother, sister and widowed sister wholly dependent on such Speaker or Deputy Speaker;

(d) "Government" means the Government of Mizoram;

(e) "Schedule" means the Schedule appended to this Act;

(f) "Speaker" means the Speaker of the Assembly;

(g) "Travelling allowance" means the allowance granted to the Speaker or the Deputy Speaker under this Act to cover the expenses which he incurs in travelling in the interest of the public service.

Salaries of the Speaker and the Deputy Speaker. 3. There shall be paid to the Speaker and the Deputy Speaker a salary of ten thousand rupees each per mensem.

Sumptuary and other allowances of the Speaker and Deputy Speaker. 4. (i) There shall be paid to the Speaker a sumptuary allowance of five thousand five hundred rupees and to the Deputy Speaker four thousand five hundred rupees per mensem.
(ii) There shall be paid to the Speaker and the Deputy Speaker family allowances of five thousand rupees each per mensem; entertainment allowances of six thousand rupees to the Speaker and five thousand rupees to the Deputy Speaker respectively per mensem.

Residence of the Speaker and the Deputy Speaker. 5. The Speaker and the Deputy Speaker shall be entitled, without any payment to the use and maintenance of a furnished residence throughout his term of office and for a period of fifteen days immediately thereafter, and so long as such residence is not provided, he shall be entitled to a residence for which rental charge shall not be more than seven thousand rupees per mensem.

EXPLANATION : for the purposes of this section –

“Maintenance” in relation to a residence includes –

- (i) free supply of electricity and water;
- (ii) free telephone calls;
- (iii) a Speaker and a Deputy Speaker if occupy own house shall be entitled to maintenance as if he occupies government quarter;
- (iv) payment of local rates and taxes.

Conveyance allowance and use of motor vehicle.

6. The Speaker and the Deputy Speaker shall be entitled to the free use of motor vehicle, the entire cost of maintenance and chauffeur of which shall be borne by the Government.

Free travelling by Train or by Air with members of family

7. Notwithstanding anything contained in this Act and subject to the provisions of the Scheduled, the Speaker and the Deputy Speaker shall be entitled to free travelling by First Class Air Conditioned 2 Tier Coach upto 40,000 KM or By Air in five years term within India with family upto five members. In case the number of five still left out actual children it may be increased and included by express permission of the Speaker.

Travelling and daily allowances

8. Subject to the provisions of the Schedule, the Speaker and the Deputy Speaker shall be entitled to–

- (a) travelling allowance for himself and members of his family and for the transport of personal effects of himself and family in respect of journey to Aizawl from his Constituency Headquarters outside Aizawl for the purpose of assuming office and demitting office, and
- (b) daily allowance in respect of tour undertaken by him in the discharge of his official duties whether by land, sea or air.

Medical treatment etc. to the Speaker and the Deputy Speaker.

9. The Speaker and the Deputy Speaker and members of their family shall be entitled free of charge to accommodation in Hospitals maintained or recognised by the Government and also to medical treatment in accordance with the Medical Attendance Rules, as amended from time to time, applicable to First Grade Officers of the Government of the Mizoram.

Speaker and Deputy Speaker not to draw any salary as members of the Assembly

Notification respecting appointment of Speaker etc. conclusive evidence thereof

Discretionary Fund

Household Staff

Repeal and saving

10. The Speaker and the Deputy Speaker shall not be entitled to receive any sum out of the funds provided by the Assembly by way of salary or allowances in respect of their membership of the Assembly.

11. The date on which any person became, or ceased, to be a Speaker or Deputy Speaker, shall be published in the Official Gazette of the Government and any such notification shall be conclusive evidence of the fact that became, or ceased, to be the Speaker or the Deputy Speaker, as the case may be, on that date for the purpose of this Act.

12. The Speaker shall be provided every year in the Budget a discretionary fund of the same amount with that of the Chief Minister, and the Deputy Speaker equal to the amount provided for the Minister of State.

13. The Speaker and the Deputy Speaker shall be entitled to Grade IV Staff of six and four number respectively of his choice as Household staff, the appointment of them shall be co-terminus without yearly increment.

14. (1) The Salaries and allowances of the Speaker and the Deputy Speaker Act, 1987 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Act so repealed shall, in so far as it is not inconsistent with the provision of this Act, be deemed to have been done or taken under this Act.

THE SCHEDULE

(See Section 8)

Travelling on duty

1. (i) When travelling on duty by railway or by road or by steamer or by air, a Speaker or a Deputy Speaker shall be entitled to reimburse the actual fare of the journey and daily allowance at the rate of Rs. 500/- per day outside Mizoram and at the rate of Rs. 400/- per day within Mizoram.

(ii) While in station the Speaker and the Deputy Speaker shall be entitled to receive daily allowance at the rate of Rs. 350/- per day.

Travelling allowance on journeys for assuming and demitting of office

2. In respect of the journey to headquarters from his constituency headquarters for assuming office or from headquarters to his constituency headquarters on demitting office, a Speaker or a Deputy Speaker shall be entitled, to a reimbursement of the actual fare in any bus of the journey, and if he uses own car he shall be entitled to a re-imbursement at the rate of Rs. 5/- per

kilometer for the journey, subject to the modification that the journeys by rail, a Speaker or a Deputy Speaker and the members of his family may travel by air-conditioned class of accommodation.

Travel by
air

3. (i) The Speaker or the Deputy Speaker may, in the public interest, perform journey on tour by air in public air transport services.

(ii) On the cancellation of a journey due to official reason, the Speaker or the Deputy Speaker shall be entitled to be reimbursed by the Government any deduction made by the air transport services when refunding the fare on account of cancellation of the air passage.

Travel by
railway

4. The Speaker and the Deputy Speaker shall have the right to reserve by requisition an ordinary first class compartment when travelling by railway on duty.

EXPLANATION : For the purposes of this paragraph, a first class compartment means a two-berthed compartment if a two-berthed compartment or an air conditioned coupe, where it is available, or a four-berthed compartment if a two berthed compartment or an air-conditioned coupe is not available in the train by which the Speaker or the Deputy Speaker travels.

Advances

5. The Speaker or the Deputy Speaker shall be entitled to -

(a) an advance of travelling allowance towards the cost of transporting himself and the members of his family and his family's effect-

(i) in respect of the journey to headquarters from his constituency headquarters outside headquarters for assuming office.

(ii) in respect of the journey from headquarters to his usual place of residence outside the headquarters on relinquishing office, and

(b) an advance of travelling and daily allowance in respect of the tours undertaken by him in the discharge of his official duties whether by land, sea or air.

P. Chakraborty,
Secretary,
Law & Judicial Deptt.
Govt. of Mizoram.